

**CALENDAR ITEM
C37**

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10/16/15
PRC 8640.9
W. Hall

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

East Bay Regional Park District

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the area known as the Bay Point Regional Shoreline, Suisun Bay, adjacent to 1001 McAvoy Road, near the city of Pittsburg, Contra Costa County.

AUTHORIZED USE:

Continued use and maintenance of open space.

LEASE TERM:

10 years, beginning October 20, 2015.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland property adjoining the lease premises.
2. On October 20, 2005, the Commission authorized a 10-year General Lease – Public Agency Use to the East Bay Regional Park District (EBRPD) for open space purposes. That lease will expire on October 19, 2015.
3. The Applicant is now applying for a General Lease – Public Agency Use for the continued use and maintenance of the open space. Staff recommends issuance of a new lease.
4. The open space is approximately 80 acres of primarily upland area containing non-native grasses, tidal marsh, seasonal non-tidal ponds, a

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few acres of bare land, and a portion of a J-shaped artificial channel. The lease will require the EBRPD to obtain approval of a lease amendment prior to any future activities, such as marsh restoration.

5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 14, section 15301.

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300.

6. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are “significant” by nature of their public ownership (as opposed to “environmentally significant”). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project’s consistency with the use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 14, section 15301.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the East Bay Regional Park District beginning October 20, 2015, for a term of 10 years, for continued use and maintenance of open space, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; no consideration will be charged as the project will result in a public benefit, with the State reserving the

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right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

EXHIBIT A

PRC 8640.9

LAND DESCRIPTION

Three parcels of State owned land, situated in Contra Costa County, in the State of California, described as Parcel 1, Parcel 2 and Parcel 3 in that certain Grant Deed recorded June 22, 1989 as Document No. 89 116108 in Book 15148 at page 91 in Official Records of said County.

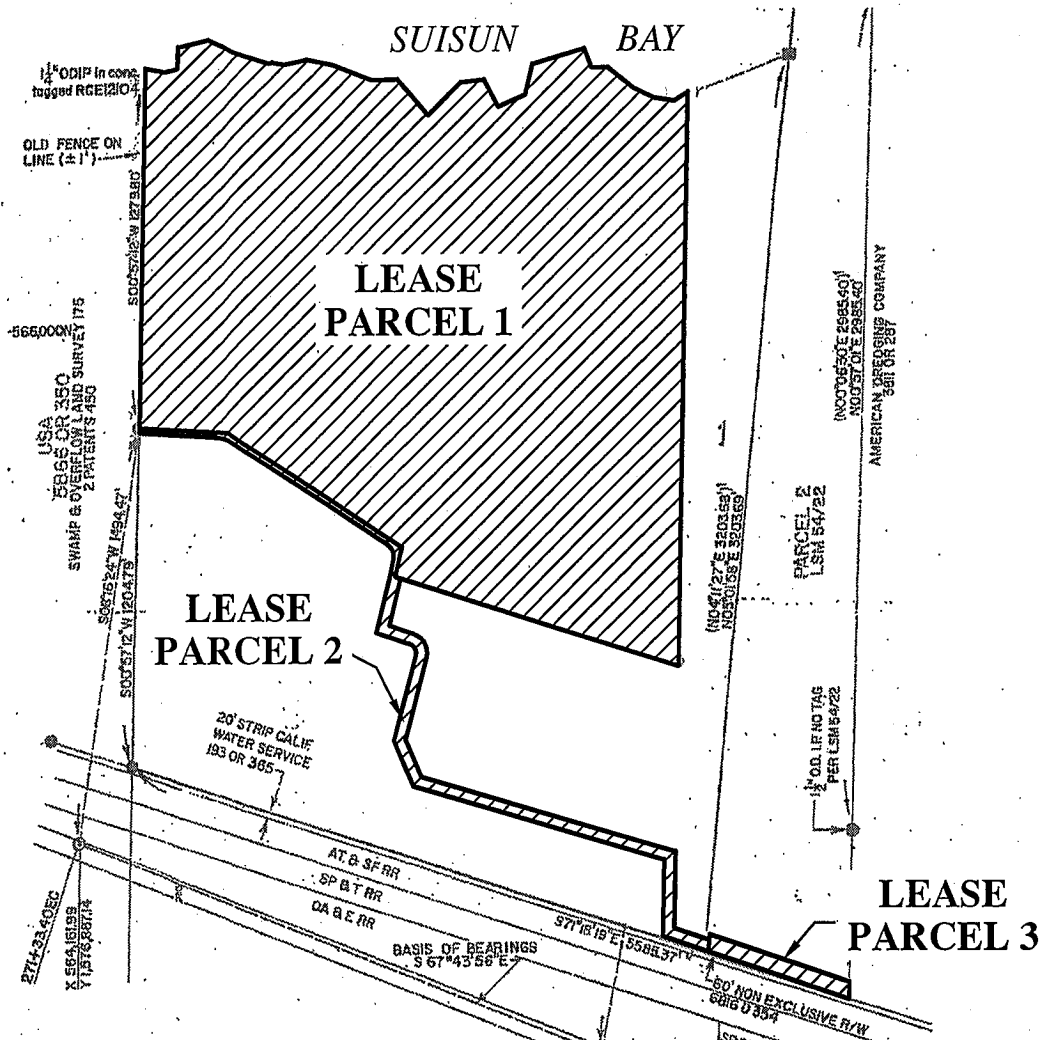
END OF DESCRIPTION

Prepared 08/21/2015 by California State Lands Commission Boundary Unit



NO SCALE

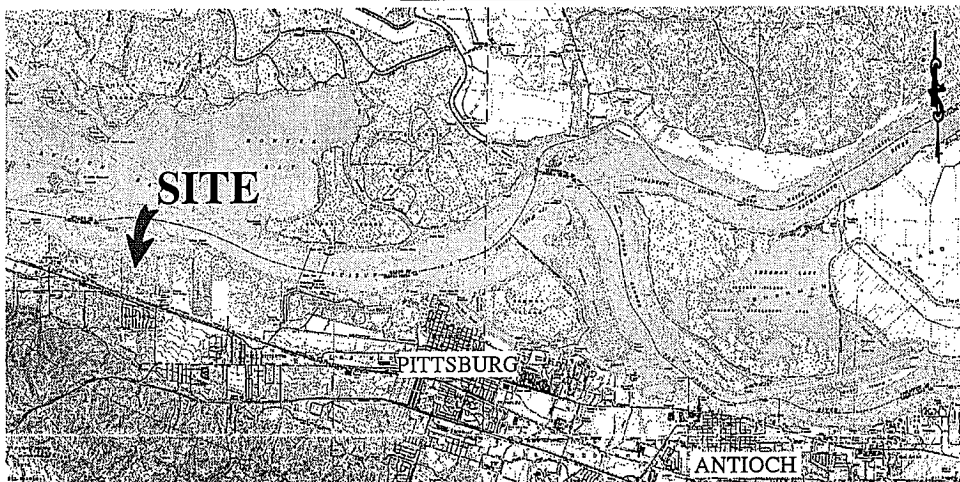
SITE



1001 MCAVOY ROAD, PITTSBURG, SUISUN BAY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 8640.9
EAST BAY REGIONAL
PARK DISTRICT
APN 098-020-022
GENERAL LEASE -
PUBLIC AGENCY USE
CONTRA COSTA COUNTY



TS 08/21/15